

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

Case No.: 5:10-CV-00112-D1

Pedro Hernandez Macin,                     )  
   )  
   Plaintiff,    )  
  )  
v.   )  
  )  
Toreros XI, Inc. d/b/a Torero's        )  
Mexican Restaurant, Arias-            )  
Baldovinos/Garcia-Camacho #1,        )  
Inc., Narcisco Baldovinos, and        )  
Miguel Gomez,                            )  
  )  
   Defendants.   )  
\_\_\_\_\_  
  )

JOINT MOTION FOR DISMISSAL WITH PREJUDICE,  
AND FOR ENTRY OF CONSENT JUDGMENT AND ORDER

NOW COMES the named plaintiff, Pedro Hernandez-Macin, by and through their undersigned counsel of record Robert J. Willis, pursuant to Rule 41(a)(1)(ii) and Rule 70 of the Federal Rules of Civil Procedure, and defendants Toreros XI, Inc. d/b/a Torero's Mexican Restaurant, Arias-Baldovinos/Garcia-Camacho #1, Inc., Narcisco Baldovinos, and Miguel Gomez, individually, by and through their undersigned counsel of record, and hereby jointly move the Court for the entry of the Final Judgment and Consent Order attached to this Joint Motion. Subject to the Court's approval, the undersigned parties also voluntarily stipulate to the Court's dismissal with prejudice of the claims and complaints asserted and filed by named plaintiff Pedro Hernandez-Macin in the above-captioned action against defendants Toreros XI, Inc. d/b/a Torero's Mexican Restaurant, Arias-Baldovinos/Garcia-Camacho #1, Inc., Narcisco Baldovinos, and Miguel Gomez, individually.

The parties to this Joint Motion file a separate memorandum in support of this Joint Motion setting forth the factual and legal basis as to why the Court should approve the terms of this settlement under the Fair Labor Standards Act ("FLSA"), 29 U.S.C. §§ 201 et seq., and the North Carolina Wage and Hour Act ("NCWHA"), N.C.Gen.Stat. §§ 95-25.1 et seq.

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CERTIFICATE OF SERVICE

I hereby certify that on July 7, 2011 I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:  
Lori P. Jones.

This the 7<sup>th</sup> day of July 2011.

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